

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

TIA CREARY

CRIMINAL NO.

DATE FILED:

VIOLATION:

**18 U.S.C. § 924(a)(1)(A) (making a false
statement to a federal firearms licensee –
1 count)**

Notice of Forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Mike & Kate's Sports Shoppe, 7492 Oxford Avenue, Philadelphia, Pennsylvania 19111, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.

2. FFL holders were licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, governed the manner in which FFL holders are permitted to sell firearms and ammunition.

3. The rules and regulations governing FFL holders required that a person seeking to purchase a handgun fill out a "Firearms Transaction Record," ATF Form 4473. Part of the Form 4473 required that the prospective purchaser certify truthfully, subject to penalties of

perjury, that he or she was the actual buyer of the firearm. The Form 4473 contained language warning that “[t]he federal firearms laws require that the individual filling out this form must be buying the firearm for himself or as a gift. Any individual who is not buying the firearm for himself/herself or as a gift, but who completes this form, violates the law.”

4. A person who purchases a firearm for another person and falsely completes the Form 4473 is a “straw purchaser.” Acting as a straw purchaser is referred to as “lying and buying.”

5. FFL holders were required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, to ensure that the person was not prohibited from purchasing a firearm.

6. On or about September 15, 2006, in the Eastern District of Pennsylvania, defendant

TIA CREARY,

in connection with the acquisition of two firearms, that is, a Taurus .45 caliber pistol, model PT945, serial number NZC96070, and a Glock .40 caliber pistol, model 27, serial number HPB339, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in Mike & Kate’s Sports Shoppe’s records, in that defendant **CREARY** certified on the Form 4473 that she was the actual buyer of the firearms, when in fact, as she well knew, this statement was false and fictitious.

In violation of Title 18, United States Code, Section 924(a)(1)(A).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Section 924(a)(1)(A),
set forth in Count One of this indictment, defendant

TIA CREARY

shall forfeit to the United States of America the firearms involved in the commission of this
offense, including, but not limited to:

1. a Taurus .45 caliber pistol, model PT945, serial number NZC96070; and
2. a Glock .40 caliber pistol, model 27, serial number HPB339.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United
States Code, Section 924(d).

_____**A TRUE BILL:**

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY